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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**APPLICANT:** Marchitto and Flock

**FILED:** September 25, 2003

**SERIAL NO.:** 10/670,618

**FOR:** Microsurgical Tissue Treatment  
System

§ **ART UNIT:**  
§ 3763  
§  
§  
§ **EXAMINER:**  
§ Hayes, M.J..  
§  
§  
§ **DOCKET:**  
§ 6476

**MS NON-FEE AMENDMENT**  
Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT AND  
CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8**

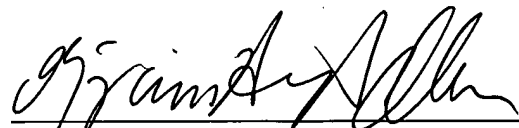
Dear Sir:

In response to Restriction Requirement, mailed July 8, 2004, Applicants elect Group I, claims 1-37 and 60-62, drawn to a device for treating tissue having an applicator and abrasive, without traverse. Applicants further elect the species depicted in Figure 1, without traverse. Applicants identify the claims readable on the species in Fig. 1 in Remarks. Should any fees be due, please debit Deposit Account No. 07-1185.

I hereby certify under 37 CFR 1.8 that this Response to Restriction Requirement is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Please return the enclosed postcard acknowledging receipt of this correspondence.

Respectfully submitted,

Date: 7/30/04  
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